



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 29th day of October, 1996

Served: November 1, 1996

Complaint of

NORTHWEST AIRLINES, INC.

against

THE GOVERNMENT OF JAPAN

under 49 U.S.C. section 41310

Docket OST-96-1500

ORDER EXTENDING ACTION DEADLINE

On July 3, 1996, Northwest filed a complaint under 49 U.S.C. section 41310 against the Government of Japan (Japan). Northwest states that Japan has refused to authorize its proposed Seattle-Osaka-Jakarta service in violation of the U.S.-Japan Air Transport Agreement.

By Order 96-7-6, July 5, 1996, we invited all interested parties to file answers and replies to Northwest's complaint. Answers were filed by United Air Lines, Inc., Japan Airlines Company, Ltd. (JAL), the State of Hawaii, the Port of Seattle, and the Hiroshima Prefecture.¹ Northwest, Hawaii, and JAL filed replies. JAL and United filed additional responsive pleadings.²

By Orders 96-8-42 and 96-9-40, the Department extended the deadline for action on Northwest's complaint for consecutive 30-day periods, through October 31, 1996, concluding that the public interest was best served by providing additional time to reach a negotiated resolution of this matter. While this matter is not yet resolved, we believe that the circumstances of this case are such that the public interest continues to require extension of the action deadline for an additional 30 days.

ACCORDINGLY,

1. We extend through November 30, 1996, the deadline for taking action on the complaint of Northwest Airlines, Inc., in Docket OST-96-1500; and
2. We will serve this order on Northwest Airlines, Inc.; American Airlines, Inc.; Continental Micronesia, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Trans World Airlines; United

¹ The answer from the Hiroshima Prefecture was not received by the Department until after the date that answers were due and it was not served on the parties to this proceeding. We accepted the late-filed document and served it by facsimile on all parties on July 15.

² These pleadings were accompanied by motions for leave to file otherwise unauthorized documents. We granted these motions by Order 96-8-42.

Air Lines, Inc.; United Parcel Service, Inc.; Japan Airlines Company, Ltd.; All Nippon Airways Co, Ltd.; Japan Air System Company, Ltd.; Japan Air Charter Co., Ltd.; Japan Asia Airways Co., Ltd.; Japan Universal System Transport Co., Ltd.; Nippon Cargo Airlines Company, Ltd.; World Air Network Co., Ltd.; the Hiroshima Prefecture; the Port of Seattle, the State of Hawaii; the United States Department of State (Office of Aviation Negotiations); the Assistant U.S. Trade Representative (Asia), the Office of the United States Trade Representative; the United States Department of Commerce (Office of Service Industries); the Ambassador of Japan in Washington, D.C.; and the Air Transport Association.

By:

CHARLES A. HUNNICUTT
Assistant Secretary for Aviation
and International Affairs

(SEAL)